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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 TODD MICHAEL SCHULTZ,

11 Plaintiff,

12 v.

13 MICHAEL C. THOMPSON, et al.,

14 Defendants.
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No. 2:23-cv-03452-JAK (MRWx)

**ORDER RE MOTION FOR
SANCTIONS ON OPPOSING
COUNSEL FOR DEFAMATION AND
PERJURY (DKT. 59)**

1 Based on a review of the Motion for Sanctions on Opposing Counsel for
2 Defamation and Perjury (the "Motion" (Dkt. 59)), insufficient good cause has been
3 shown for the requested relief. Therefore, the Motion is **DENIED**.

4 Plaintiff seeks to have sanctions imposed on Defendant YouTube's counsel for
5 arguing that Plaintiff knows or should know that his claims are barred by section 230 of
6 the Communications Decency Act and for arguing that Plaintiff brought this suit for an
7 improper purpose. This conduct does not constitute sanctionable misconduct. Nor does it
8 constitute defamation: these are legal arguments rather than factual assertions, and they
9 are protected by the litigation privilege. Arguments of this nature also do not qualify as
10 perjury because they are arguments. In addition, arguments in legal briefs are not made
11 under penalty of perjury. Further, although Plaintiff includes a vague reference to a "rule
12 4.1 (1)(2)," Plaintiff has not adequately identified any legal basis for the award of
13 sanctions he seeks. Finally, under Local Rule 7-3, Plaintiff is required to meet and confer
14 with opposing counsel in good faith before filing motions. The materials filed in support
15 of the Motion do not state that Plaintiff sought to confer with counsel for Defendant
16 YouTube prior to its filing. If Plaintiff files additional motions without meeting and
17 conferring with opposing counsel or without citing appropriate legal authority, it may
18 result in the issuance of an Order to Show Cause why sanctions should not be imposed.

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21 **IT IS SO ORDERED.**

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23 Dated: August 4, 2023



24 John A. Kronstadt

25 United States District Judge
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